

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII (ea)  
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Michelle Rynne, Clerk of Court

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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 20-00061-JMS
	)	
Plaintiff,	)	SUPERSEDING INDICTMENT
	)	
vs.	)	[21 U.S.C. §§ 846, 841(a)(1) and
	)	841(b)(1)(B); 18 U.S.C. § 2]
SHAWN MARTINEZ,	)	
	)	
Defendant.	)	
	)	

SUPERSEDING INDICTMENT

The Grand Jury charges:

Count 1

Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine  
(21 U.S.C. § 846)

From a precise date unknown, but by at least June 23, 2020, within the District of Hawaii and elsewhere, SHAWN MARTINEZ, the defendant, and others known and unknown, did knowingly and intentionally conspire to distribute and to possess with intent to distribute 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

Count 2

Aiding and Abetting

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); 18 U.S.C. § 2)

On or about June 23, 2020, within the District of Hawaii, SHAWN MARTINEZ, the defendant, did knowingly and intentionally aid and abet the possession with intent to distribute 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18 United States Code, Section 2.

Forfeiture Notice

1. The allegations set forth in all paragraphs of Counts 1 and 2 of this Superseding Indictment are hereby re-alleged and incorporated by reference as though set forth in full herein for the purpose of noticing forfeiture pursuant to 21 U.S.C. § 853.

2. The United States hereby gives notice that, pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841(a)(1) or 21 U.S.C. § 846, SHAWN MARTINEZ, the defendant, shall forfeit to the United States of America any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. If any of the property described in paragraph 2 above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21 United States Code, Section 853(p).

DATED: November 5, 2020, in Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson  
FOREPERSON

  
\_\_\_\_\_  
KENJI M. PRICE  
United States Attorney  
District of Hawaii  
  
  
\_\_\_\_\_  
MOHAMMAD KHATIB  
Assistant United States Attorney

*United States v. Shawn Martinez*  
Superseding Indictment  
Cr. No. 20-00061-JMS